

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

UNITED STATES OF AMERICA §
§
v. § No. 2:10CR18
§ Judge Ward
§
GAYLYNNE GALE §

ELEMENTS OF THE OFFENSE

COMES NOW, the United States of America, by and through the United States Attorney for the Eastern District of Texas, and files this pleading summarizing the elements of the offense to which the defendant intends to enter a plea of guilty to Count One of the First Superseding Indictment:

Title 18, United States Code, Section 641, makes it a crime for anyone to steal any money or other property belonging to the United States.

To establish that the defendant is guilty of violating this statute, the government must prove the following beyond a reasonable doubt:

First: That the money described in the indictment, Social Security Supplemental Security Income payments, belonged to the United States government and had a value in excess of \$1,000 at the time alleged;

Second: That the defendant stole such money for the defendant's own use or the use of another; and

Third: That the defendant did so knowing the money was not hers, and with intent to deprive the owner of the use of the money.

Respectfully submitted,

JOHN M. BALES
UNITED STATES ATTORNEY

/s/ Nathaniel C. Kummerfeld
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Elements of the Offense was served on counsel of record for defendant via the court's CM/ECF system on this the 6th day of July, 2011.

/s/ Nathaniel C. Kummerfeld
Nathaniel C. Kummerfeld